

GEORGETOWN COUNTY SHERIFF'S OFFICE



A. Lane Cribb, Sheriff

1. The number of rape kits collected and booked into evidence within the last five years January 30th 2014 through January 20th 2019.

2014 – (9 Kits)
2015 – (10 Kits)
2016 – (12 Kits)
2017 – (8 Kits)
2018 – (11 Kits)
2019 – (0 Kits as of 01/30/2019)

2. The number of rape kits that been processed by public, private and forensic laboratory within the last five years January 30th 2014 through January 20th 2019.

2014 – (5 Kits)
2015 – (0 Kits)
2016 – (4 Kits)
2017 – (6 Kits)
2018 – (8 Kits)

3. The number of unprocessed rape kits in any storage facilities currently under the department's jurisdiction and control.

(70) Kits currently in storage unprocessed.

A. Some examples of why kit not processed.

ANONYMOUS REPORTED VICTIM
CASE UNFOUNDED
VICTIM REQUEST TO HAVE CASE CLOSED
VICTIM REFUSAL TO COOPERATE
BASED ON INFORMATION GATHERED FROM INVESTIGATION

**** The assigned Investigator will review the case and evidence with the Investigations Lieutenant and/or the Solicitors Office.**

GEORGETOWN COUNTY SHERIFF'S OFFICE



A. Lane Cribb, Sheriff

The number of rape and sexual assaults reported in the last five years.

2014 – 24

2015 – 24

2016 – 39

2017 – 28

2018 - 29



GEORGETOWN COUNTY SHERIFF'S OFFICE POLICIES AND PROCEDURES

Chapter 10: Operations

| | | | |
|--|--|---|-----------------------------|
| Title: Property and Evidence Control | Effective Date: April 15, 2018 | Policy No.: 10.12 | Page No.: 1 of 12 |
| Amends: Section No.: | Rescinds: | Scheduled Review Date: 4/15/2019 | |
| Related Standards: SCLEAL 20.1 through 20.6, 21.1 – 21.7, 27.2 | Actual Review Dates: | | |
| Related Statutes: SCLEAL 20.1 through 20.6, 21.1 – 21.7, 27.2 | Related Statutes: S.C. Code of Laws, §16-23-55; §16-23-405; §16-23-50, §16-23-405; §16-23-460; §23-31-140; §44-53-520 | | |
| Distribution: All Sheriff's Office Staff | Special Notes: | | |

POLICY: It is the responsibility of an Evidence Custodian Officer (ECO) to manage and control all evidence and property directed to him/her for safekeeping. As part of this responsibility, accurate records will be maintained. Property will be stored, released, and disposed of in accordance with the procedures outlined in this directive.

OTHER REFERENCES:

DEFINITIONS:

PROCEDURES:

1. Property Management Responsibility:

- A. All property taken into custody by an employee of this agency is the responsibility of that employee until it has been properly submitted to the Evidence Control Officer (ECO). Seized property and assets subject to and awaiting forfeiture proceedings are an exception to this rule and are not managed or controlled by the ECO and will be stored at an authorized storage facility.
- B. Property that is taken into custody by sworn personnel and immediately released to the owner will be listed on an *Authorized Property Release Form* and *Incident Report*. The report should indicate that the property was not turned in to the ECO.
- C. All property, except when immediately released to the owner, must be turned into the ECO by the end of the deputy's tour of duty. Employees are strictly prohibited from storing property in their vehicles, offices, desks, file cabinets, homes, or any location other than designated evidence lockers or the agency compound. Personal use of any such property is strictly prohibited.
- D. It is the responsibility of the submitting deputy to properly tag, mark, package, photograph, or request photographing of evidence or property submitted to the ECO. All evidence must be bagged, tagged, or labeled in accordance with agency procedures and South Carolina

Law Enforcement Division (SLED) requirements and secured in either evidence lockers or the evidence compound at Headquarters prior to the end of the deputy's tour of duty.

- E. A property tag/label is used as an individual record of each item of property (or set of items) submitted to the ECO. The property tag/label must be properly completed and clearly marked "evidence," "Found," "Safekeeping," or "Recovered."
 - F. Property or evidence should not be submitted on a single property label in such a manner that creates an excessive or unmanageable quantity. For example, three (3) televisions should be submitted on three (3) separate property labels.
 - G. All guns and property of a high value will be submitted with individual tags. One (1) tag may be used for similar items such as: number of spent cartridges, several empty beer cans, etc. When in doubt, or if like items have serial numbers, separate tags will be used.
 - H. The deputy submitting the property to the ECO must also submit an *Incident Report*, complete with case number, specifically describing each item on a *SLED Laboratory Forensic Services Request Form* or submit a request in the form of a letter to the Federal Bureau of Investigation (FBI) for any evidence that requires comparison or analysis. The submitting deputy is responsible for completing any laboratory analysis request forms.
 - I. The ECO is responsible for the control and management of all property accepted by or stored in the evidence compound.
 - J. Evidence control personnel have the only key to access to locked temporary evidence/property storage locker. Evidence control personnel will collect the contents of all lockers each work day and subsequently log all evidence and property into agency computer records.
 - K. Evidence control personnel will accept evidence when it is properly marked, tagged, or labeled. If the evidence is improperly packaged, marked, or handled by the submitting deputy, a supervisor will be notified to evaluate the situation. In every case, every effort will be made to maintain the integrity of the evidence and the chain of custody. Evidence control personnel will be responsible for reviewing all property tags/labels, ensuring that all necessary information is included with the submitted item(s).
 - L. With approval of the appropriate prosecutor and/or supervisor, property may be photographed for use in court and the property returned to the victim (e.g., perishable).
2. **Facility Security:** All property stored at the Georgetown County Sheriff's Office will be secured in the evidence compound.
- A. Only Evidence Control personnel will have keys for the evidence compound.
 - B. Only Evidence Control personnel will have access to the unit safe.
 - C. The compound doors will be locked when assigned personnel are not present.
 - D. The doors will be closed and locked unless activity in and out warrants keeping the door open and/or unlocked.

- E. Non-Evidence Control personnel will not have access unless:
 - 1). Accompanied by an Evidence Control member;
 - 2). Access is required to inspect evidence; or
 - 3). Access is required to help load or unload evidence.

3. **Inspections and Reports:**

- A. At least quarterly, the Sheriff/or designee will conduct an inspection of the property and evidence control function to ensure that the following takes place:
 - 1). Procedures outlined for the intake and logging-in of property are being adhered to;
 - 2). Security measures are being enforced;
 - 3). The integrity of perishable items is being preserved;
 - 4). Computer records and physical records are up to date and in order;
 - 5). Property is being disposed of properly and in a timely manner.
- B. Whenever a new supervisor is assigned to Evidence Control, the incoming supervisor, along with a designee of the Sheriff, will conduct an inventory of property consigned to the same. The purpose of the inventory is not to inspect every single item of property, but to inspect a sufficient number to ensure that records are correct and properly annotated.
- C. At least annually, an audit (an examination or a spot check) of property held by the agency will be conducted by a supervisor not routinely or directly connected with the control of property. (**NOTE:** The auditor is authorized to weigh packages of drugs to insure amounts and weights are consistent with records. It should be noted that the weight of many drugs will change with time, temperature, humidity, and decomposition. The name of the individual who weighed the package and the identity of others present will be entered on the records of the item inspected. Exceptions to weighing drugs are permissible when auditing evidence that is officially sealed in tamperproof protective packages, e.g., SLED Best Evidence Sample Testing (BEST) packaging. The inspection will also be noted on the final report.
- D. At the direction of the Sheriff/designee, unannounced inspections of property storage areas will be conducted.
- E. At the conclusion of all inventories, inspections, and audits, a final report will be prepared listing:
 - 1). The names and positions of all persons present;
 - 2). Date(s) of activity (i.e., the inventory, inspection or audit);
 - 3). Beginning and ending times of activity;
 - 4). What areas were affected; and
 - 5). What property was checked.

The report will be sent to the Sheriff and a copy will be filed in ECO.

4. **Storage:**

- A. All evidence will be kept within the evidence compound area. A refrigerator located within a secure area of the Criminal Investigations Division (CID) to preserve and store perishable items, such as blood, urine specimens, rape kits, and other like property is also approved as a designated secure area.

- 1). Property that requires a controlled climate (e.g., an air conditioned atmosphere, dehumidification, etc.) will be stored in the evidence room.
- 2). Property which has a high or exceptional value (monetary or otherwise), will be stored in the evidence room. The evidence room will be locked at all times.
- 3). All homicide evidence will be stored in an area expressly designated for those type cases. The only exceptions would be for guns, money, jewelry, and drugs—which are stored in the evidence room.
- 4). Bicycles will be stored in the separate, locked fenced area at the Georgetown County Detention Center.
- 5). Vehicles requiring processing will be stored within the compound area until processing is completed.
 - a. Suspects' vehicles will be towed to the compound at agency expense for processing. After processing, the wrecker company that towed the vehicle to the compound will be contacted to immediately tow the vehicle to their lot at the owner's expense to await retrieval by the owner.
 - b. Victims' vehicles will be towed to the compound at agency expense for processing. After processing, the victim will be notified and given 24 hours to retrieve the vehicle. If not retrieved by the owner within the set 24-hour period, the vehicle will be towed by the same wrecker company to its impound lot at the owner's expense.
- 6). All other evidence and property will be stored within the locked storage room, as space and other considerations warrant.

5. **Increased Security:**

A. **Money:**

- 1). All monies submitted to evidence will be counted by both the submitting deputy and his/her supervisor and will only be accepted if sprayed with Clue Spray for detection in court.
- 2). Any monies submitted to Evidence Control must be sealed in a container, properly marked, and tagged separately from other property upon submission to the evidence compound.
- 3). The tag/label must identify the amount of money submitted, case number and submitting deputy sheriff's name. Evidence Control personnel will log it in the computer and place it in the Evidence Control compound evidence room. Money not properly packaged or marked will not be accepted into Evidence Control custody. A supervisor will be notified to correct any problems with packaging or tagging of money.

B. **Precious Metal or Gemstones:** Precious metals, gemstones, and other small items of exceptional value, once logged in, will be stored inside the evidence room.

C. **Licit and Illicit Drugs:**

- 1). All drugs (including, but not limited to, narcotics, hallucinogens, and other controlled substances) submitted to Evidence Control either as found, confiscated, or evidence, will be sealed in a plastic bag or container. Each bag or container will have a label. Hypodermic needles must be sealed in the plastic tubes provided and must be labeled.
- 2). In addition, the following container inspection, quantity, and quality control measures are in place:

- a. All drugs must be weighed when submitted for storage and processing. Weights will be taken after the evidence is packaged and will include the package in its weight.
 - b. Drug evidence will be sealed in clear plastic bags sealed by the submitting deputy.
 - c. All weights should be done as accurately as possible, but will only be used as a quality control and not as an exact weight or for evidential purposes.
 - d. Pills and capsules will be counted. The count will be noted on the property tag/label and *Incident Report*.
- 3). All drugs submitted to be held as found, evidence, or contraband during hours when the compound is not open will be placed in the drug drop box located at the Headquarters. The Evidence Control investigator will open the drug drop box and log the property into evidence.
 - 4). The ECO will not open any sealed containers of drugs submitted to the drug drop box to verify the weight or count. Investigators will verify that the container is properly sealed and marked and visually check for tampering to safeguard against the substitution of materials having the same weight.
 - 5). Marijuana is not analyzed at SLED, but by an ECO. Marijuana submitted as evidence will be weighed in the package as received, and then opened so that a quantity may be removed for analyzation, and weighed again. The marijuana will be resealed in a clear plastic package, complete with the original package. All analysis results will be documented by the deputy conducting the tests.
 - 6). All drugs will be stored in the drug room.
 - 7). The ECO must avoid any direct contact with any dangerous drugs or syringes.

D. Firearms:

- 1). All firearms received by an ECO will be made safe by unloading and will have an individual property tag. All firearms will be placed in an evidence locker and will not be dropped in the evidence box. Loaded firearms will not be placed in the evidence lockers.
- 2). If the weapon cannot be unloaded for evidentiary reasons, it cannot be placed in the evidence storage lockers. The ECO will be called to secure and transport the weapon.
- 3). If a loaded firearm cannot be made safe by the deputy or is evidence in a major crime, the on-call ECO will respond to the scene to secure the weapon.
- 4). All firearms should be checked for stolen through NCIC by the submitting deputy and documents on the evidence tag, (see, also, policies regarding NCIC included in Section 4 of Georgetown County Sheriff's Office Policies and Procedures Manual.)
- 5). Firearms will be secured in the gun room of the evidence compound, with key control restricted to Evidence Control personnel.

6. Perishable Evidence, Blood, Body Fluids, etc.:

- A. Refrigerators are located in the evidence compound and within a secure area of CID to preserve and store perishable items such as blood, urine specimens, rape kits, and other like property. Evidence requiring refrigeration for preservation must be directly submitted to the evidence compound, or Evidence Control personnel must be called out to secure it.
- B. Only Evidence Control personnel will have access to any property stored in the refrigerator

within the Evidence Control evidence compound.

- C. All items containing blood or body fluids, vials of blood, urine specimens, or other body fluid samples must be sealed in a leak proof container such as a plastic evidence bag, *Sexual Assault Evidence Collection Kit*, etc., and be properly labeled. Bio-hazard warning labels are provided.
 - D. Universal safety precautions must be followed when handling blood, body fluids, and other potentially infectious material in accordance with agency procedures.
7. **Evidence/Property Storage After Business Hours:** When the evidence compound is closed, deputy sheriffs bringing in found, recovered or evidential property will observe the following:
- A. Evidence or property should be submitted to an ECO by securing it in the temporary evidence/property storage lockers in the front evidence office or evidence drop boxes at Headquarters.
 - B. Large items of found property may be tagged and placed in the front evidence office at Headquarters.
 - C. If item(s) of evidence are too large for the lockers or are loaded weapons, the on-call ECO should be notified to meet the submitting deputy and secure the item(s) within the evidence compound.
 - D. If the evidence should require refrigeration for preservation, an Evidence Control investigator should be notified to secure the item(s) in the refrigerator in the evidence compound.
 - E. An ECO may be notified to respond and secure any evidence that, in the opinion of the submitting deputy's supervisor, has great value or may be potentially vulnerable to claims of tampering, e.g., a large quantity of narcotics evidence.
 - F. At no time will explosives, flammables, corrosive material, dangerous chemicals, unknown biological specimens, radioactive materials, or other dangerous materials or property be brought into headquarters to be placed into evidence lockers or brought into the evidence compound. Photographs should be taken of any hazardous material prior to movement and/or disposal.
8. **Records Regarding Status of Property Held by the Agency:** Evidence Control personnel will be responsible for maintaining a records system that reflects the status of all property, whether currently held or held in the past, as well as maintaining and tracking final dispositions of found, recovered, and evidential property.
9. **Final Disposition of Property:**
- A. The ECO is responsible for the prompt, authorized disposal of property within 90 days after legal requirements have been met.
 - B. Evidence/property will not be released until cleared for release by the investigating sheriff and/or his/her supervisor.

- C. If property is held as evidence, the investigating deputy will notify an ECO following the final disposition of a case. The ECO will hold the evidence for 15 days following the final disposition of the case before disposing of the property as provided in this procedure.
- D. **Release to Rightful Owner:**
- 1). Property may be released to the rightful owner once all evidential use of the property is satisfied and/or the deputy who submitted the property has approved the property for release.
 - 2). Once an item has been cleared for release by the submitting deputy, the submitting deputy will attempt to contact the owner and advise them of procedures to claim their property. A certified letter, return receipt requested, will be sent to the last known address of the owner. All attempts of contact will be documented on an *Incident Supplement* and/or noted on the *Property Log*.
 - 3). If the owner does not respond within 60 days, the property will be considered unclaimed.
- E. **Release to Finder:**
- 1). Property, except weapons other than pistols or contraband, may be released to the finder of the item if the rightful owner is unknown or cannot be located.
 - 2). If the owner is unknown, the property may be released to the finder after a period of 90 days has passed and the owner has not claimed the item.
 - 3). If the owner is known, the case deputy will telephone the owner. If unable to make telephonic contact, the case deputy will send a certified letter, return receipt requested, to the last known address of the owner, informing the owner where the property may be claimed.
 - 4). If after the letter is sent, the owner cannot be located or fails to claim the property, and a period of 90 days has passed, the property will be considered unclaimed.
 - 5). Such unclaimed property can then be released to the finder.
 - 6). In all cases, it is the responsibility of the finder to make a written request for return within the 90-day period.
 - 7). The finder will sign an *Affidavit* stating they are the finder of the property in question. If a pistol is involved, the finder must fully complete the firearms application process as required pursuant to S.C. Code of Laws, §16-23-55 and §23-31-140.
 - 8). Due to potential conflict of interest or perceptions of conflict of interest, employees of the Georgetown County Sheriff's Office may not claim property found by them and submitted to an ECO, regardless of the circumstances.
- F. **Disposal of Unclaimed or Forfeited Property:**
- 1). Property that is forfeited to the Sheriff's Office pursuant to S.C. Code of Laws, §44-53-520, §16-23-50, §16-23-405, and §16-23-460 or any other State or Federal statute or local ordinance, will not be released to its owner or finder. Unclaimed or forfeited property may only be disposed of in accordance with the provisions of State statutes outlining the disposition of property held by law enforcement agencies.
 - 2). The Evidence Control supervisor and CID Commander, along with the County Attorney, will have court orders prepared describing such forfeited property and designating the agency as owner and submitted to the Fifteenth Circuit Solicitor's Office for presentation to the Circuit Court Judge.

- 3). Contraband will be handled the same as forfeited property and disposed of in accordance with the requirements contained in S.C. Code of Laws, §16-23-405 and §16-23-460.
- 4). Evidence Control personnel will provide the CID Commander with a list of items for disposal. Prior to any disposal, the ECO will:
 - a. Notify the Sheriff/designee through the chain of command of property or evidence to be destroyed;
 - b. Inventory all property or evidence to be destroyed; and
 - c. Verify the final disposition of each case prior to destruction. A request to the Fifteenth Circuit Solicitor will be made for a court order if such order is needed to facilitate disposal.
- 5). Items may be disposed of in one (1) of the following ways:
 - a. Destroyed: The following types of property/evidence may be destroyed or disposed of by Evidence Control personnel in accordance with provisions of the South Carolina Code:
 - (1) dangerous drugs;
 - (2) firearms;
 - (3) obscene materials;
 - (4) beer/alcoholic beverages; and
 - (5) miscellaneous property of no value.
 - b. Converted to Agency Use:
 - (1) Any property converted for agency use will require a court order, or in minor cases, the approval of the Sheriff or his designee.
 - (2) The ECO will prepare a list for the Fifteenth Circuit Solicitor to obtain a court order as deemed necessary.
 - (3) The ECO will complete a return on the court order, if any, detailing what the items were and to what unit they were assigned.
 - c. Sold by Auction: Georgetown County Sheriff's Office may dispose of property by sale at auction pursuant to applicable State law, County ordinances, agency directives.

10. **Weapons and Firearms:**

- A. Weapons held as evidence may only be released after the court case is disposed of and with permission of the investigating deputy sheriff and prosecutor.
- B. Firearms will be checked in NCIC by Records personnel via *Incident Report* for stolen prior to release to rightful owner.
- C. Prior to releasing a firearm, the owner must be checked through SLED and NCIC by the case deputy for any felony record or any other ineligibility as outlined in state or federal statute prior to authorizing release.
- D. If the owner has a felony record or other disqualifier as outlined in state or federal statute, the firearm cannot be released to the owner.
- E. The owner will be notified in writing by the Sheriff that he/she is disqualified and the firearm cannot be released to him.

- F. In every case, investigators will make a reasonable effort to verify proper ownership of the weapon and the identity of the person to whom it is being released. The person to whom any firearm is released will be required to sign a *Property Release Form* prior to receiving the firearm.
- G. In every case, the person receiving the weapon will sign the *Property Receipt* indicating the weapon was released to that person.
- H. If the owner is not known, the weapon will be declared unclaimed after a period of 90 days and disposed of according to applicable state statutes and agency directives.
- I. Weapons held for safekeeping will be retained for a period not to exceed 60 days.
 - 1). At the conclusion of that time, the case deputy will notify the rightful owner by phone that the weapon may be claimed. Documentation of the phone call will be made on an *Incident Supplement*.
 - 2). If unable to locate the owner by phone, the case deputy will send an *Evidence Notification Form* by certified mail, return receipt requested, to the last known address of the owner, outlining when and where the weapon may be claimed.
 - 3). If after a total of 90 days the weapon has not been claimed by the owner, the weapon will be declared unclaimed property and disposed of according to applicable state statutes and agency directives.
 - 4). Final disposition of the weapon will be noted in the *Property Report* and in the computer log.
 - 5). The Sheriff/designee must approve the release of all weapons.

11. **Money:**

- A. Money held as evidence will be released to the rightful owner once it is no longer of evidential value and upon approval of the investigating deputy sheriff and/or his supervisor.
- B. Money that is found may be released to the finder under the following conditions:
 - 1). The ECO will obtain the approval of the submitting deputy and/or supervisor.
 - 2). The case deputy will have made a reasonable effort to locate the actual owner.
 - 3). The owner will not have been located or will have failed to claim the property.
- C. Upon releasing money, Evidence Control personnel will open the package in the presence of the owner or finder and count the contents together with the owner/finder. If there is any discrepancy, a supervisor must be notified immediately.
- D. In every case, the investigator will make a reasonable effort to verify the ownership or right to possess the property, and the identity of the person to whom the property is being released.
- E. The person receiving the money will sign the *Property Receipt* section of the *Property Report*.
- F. The Sheriff/designee must approve the release of all money. Money that is found and unclaimed or that is forfeited under the provisions of S.C. Code of Laws, §44-53-520, or any other applicable federal, state or local law or ordinance will be disposed of in

accordance with agency directives.

- G. The final disposition of money will be noted in the *Property Report* and the computer log.
- H. All seized monies held pending seizure proceedings will be deposited by the agency in a separate interest bearing account until final disposition is made of the funds. Established agency financial policies will be adhered to at all times.

12. **Major Case Disposition:**

- A. The ECO will contact the Sheriff/designee to discuss major cases.
- B. With the approval of the Sheriff/designee, Evidence Control personnel may dispose of any property held as evidence in a case, as outlined in this directive.

13. **Property Management Records:**

- A. In every case where property is released, the final disposition of that property will be entered into the *Property Report* and in the *Property Log*. Final disposition of found, recovered and evidential property must be accomplished within six (6) months after legal requirements have been satisfied.
- B. In every case when property is disposed of, all paperwork necessary to document the action and update computer logs will be completed by Evidence Control personnel. Evidence Control will maintain computer records which track the status of all property/evidence stored in the evidence compound with the following information:
 - 1). Date and time item is entered (computer generated);
 - 2). Case number;
 - 3). Evidence number (computer generated);
 - 4). Item number (computer generated);
 - 5). Category (1- evidence, 2 - found property, 3 - property kept for security);
 - 6). Deputy's badge number (from which the computer generates the deputy's name);
 - 7). Evidence type;
 - 8). Disposition, i.e., still in-house, destroy, auction, convert, hold, return to owner, transferred to another agency, transferred to General Sessions Court, final disposition, etc.;
 - 9). Description, i.e., manufacturer, make, model, serial number, other, layman's description;
 - 10). Location found, i.e., address, city, state, etc.;
 - 11). Date acquired;
 - 12). Owner name, address, phone number, if applicable;
 - 13). Storage location, e.g., room, bin, evidence room, etc.;
 - 14). Other comments, e.g., who enters, how to process, etc.; and
 - 15). Chain-of-custody, e.g., date removed, agency/deputy/individual responsible, reason, date returned (chain of custody paperwork should be in file).

14. **Property Release:**

- A. In every case, the case deputy will make a reasonable effort to verify rightful ownership of property and the identity of persons to whom the property is being released.

- B. In every case, the person to whom the property is released will sign the *Property Receipt* section of the *Property Report* indicating they have received this property.
- C. Persons requesting the return of property from an ECO must present a valid identification card that includes their full name and picture on same card and either a case number or the name of the deputy who submitted the property. An *Authorized Property Release Form* must be on file at the Evidence Control compound.
- D. Any release of property must be documented by Evidence Control personnel.

15. **Receipt for Articles from Evidence Compound:**

- A. A receipt for articles from the evidence compound is used whenever an item of property is temporarily removed from the compound for court, laboratory processing, or other reasons. The removal should be documented in writing, as well as in the computer logs. This documentation serves as a receipt to ensure the maintenance of the chain of custody and integrity of the evidence in court.
- B. The receipt for articles from the evidence compound contains the following information:
 - 1). Date and time property is removed or returned;
 - 2). Signature of person accepting the property (except when submitting evidence to the SLED or FBI lab for analysis); and
 - 3). Purpose of change of custody of the property.

16. **Procedures for Evidence Submitted for Laboratory Examination:**

- A. It is the responsibility of the investigating deputy to submit a *Work Request Form* requesting laboratory analysis of evidence.
- B. The *SLED Laboratory Forensic Services Request Form* or FBI letter is to be completed by the submitting deputy and must accompany the evidence when it is submitted to the laboratory. The deputy making the request will complete all applicable sections of the *Report* and will indicate the type of analysis that is requested. A narrative of the incident may be required to advise the lab personnel to properly analyze the evidence. A copy of the *Incident Report* must accompany the SLED request.
- C. Evidence requiring SLED or FBI analysis is submitted as needed by any sworn deputy.
- D. The CID Commander/designee will determine which crime lab (SLED or FBI) will receive the evidence.
- E. An ECO will be responsible for packaging, transporting, shipping, and submitting evidence to the SLED Forensics Lab, FBI Lab, or any independent testing laboratory as needed.
- F. Evidence Control investigators will log-out evidence sent to the SLED or FBI laboratories and, upon its return to the agency, will immediately log in the evidence to ensure chain of custody.
- G. It is the responsibility of the investigating deputy to review lab reports on cases they are

assigned. If additional lab services are necessary, or new or additional evidence becomes available, the investigating deputy must submit a new *SLED Laboratory Forensic Services Request* or FBI letter.

- H. The SLED and FBI Forensic laboratories provide a written report of laboratory findings as standard procedure on all requests for laboratory examination. Written reports of laboratory findings received from the SLED or FBI Laboratory are filed with the case report in Records. A copy of the report will be provided to the investigating and/or requesting deputy upon request.

17. **Procedures for Evidence Transferred to Court:**

- A. Any time a deputy takes evidence to court, he will sign for the release of evidence in the *Chain of Custody* section of the *Evidence/Property Report* which will remain with the ECO.
- B. The deputy will take the item(s) to court. If the court retains the property, the Clerk of court will provide and sign a *Receipt for Property* which the deputy will return to Evidence Control.
- C. When item(s) are returned to the evidence compound by deputies after court, Evidence Control personnel will log the property in as returned and secure it in the evidence compound.
- D. When forms are returned directly by the court, Evidence Control personnel will have the court employee sign the *Chain of Custody* section of the *Report*.



GEORGETOWN COUNTY SHERIFF'S OFFICE POLICIES AND PROCEDURES

Chapter 10: Operations

| | | | |
|--|--|---|----------------------------|
| Title: Criminal Investigations | Effective Date: April 15, 2018 | Policy No.: 10.08 | Page No.: 1 of 6 |
| Amends: Section No.: | Rescinds: | Scheduled Review Date: 4/15/2019 | |
| | | Actual Review Dates: | |
| Related Standards: SCLEA: 19.1, 19.2, 19.3, 19.4, 19.5, 19.6, 19.9 | Related Statutes: | | |
| Distribution: All Sheriff's Office Staff | Special Notes: | | |

POLICY: The Georgetown County Sheriff's Office will employ thorough and timely investigative techniques to ensure criminal investigations are conducted efficiently and effectively. All criminal investigations will be conducted in a manner that supports applicable state and federal statutes, standards and case law, as well as recognized best practices.

The investigation of criminal offenses is an integral part of each deputy's duties and is essential to the accomplishment of the law enforcement mission of the Georgetown County Sheriff's Office. To this end, all sworn personnel will assist, as needed, in the criminal investigation function whether assigned as an investigator or to other duties.

OTHER REFERENCES:

DEFINITIONS:

PROCEDURES:

1. Organization and Administration:

- A. The Criminal Investigations Division (CID) supports, supplements, and augments the agency's criminal investigation function. CID is under the administration of the Division Commander
- B. **Responsibilities:** CID is available for:
 - 1). Follow-up investigations of crimes or suspected criminal activity reported to the agency;
 - 2). Initial and follow-up interviews with victims, suspects, and witnesses;
 - 3). Evaluation of evidence;
 - 4). Recovery of stolen property;
 - 5). Identification, apprehension, and prosecution of criminal offenders;
 - 6). Preparation of cases for court presentation;
 - 7). Clearance of criminal cases.

- C. Cases for investigation by CID will be assigned by a CID Supervisor. When assigning cases, the skills, training, and experience of the investigator will be considered. The assigned investigator will be the principle or lead investigator and all others involved will assist the assigned or lead investigator.
- D. CID will have a duty investigator on-call to respond to emergencies requiring the presence of an investigator during non-business hours. The on-call schedule will be posted in the Communications Center Sheriff's Office intranet (SONET). If the duty investigator cannot be located, the CID Commander/designee will be notified.
- E. CID investigators will maintain liaison with Patrol Unit personnel to assure an efficient exchange of information.

2. **Preliminary Investigations:**

- A. Preliminary investigations of all types of offenses will be the responsibility of the Patrol Division deputy dispatched to the scene and/or a Patrol supervisor, unless and until such time the Patrol supervisor designates otherwise.
- B. The Patrol supervisor, when available, will respond to all scenes in cases suspected of murder, suicide, felony assault, sexual assault, armed robbery, arson, or whenever, in the supervisor's opinion, the case is unusually serious or complex or there is indication that an immediate lengthy investigation may be required.
- C. The preliminary investigation begins immediately upon the arrival of sworn personnel at the scene of an incident or upon taking a report, and continues until a postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation.
- D. The on-scene supervisor will request CID to respond to an incident requiring the presence of an investigator.
- E. Steps to be followed in conducting the preliminary investigation include, but may not be limited to, the following:
 - 1). Providing aid to the injured;
 - 2). Observing all conditions, events, and remarks;
 - 3). Maintaining and protecting the integrity of the crime scene so that evidence is protected and not lost or contaminated;
 - 4). Determining if an offense has been committed and, if so, the exact nature of the offense;
 - 5). Arranging for the collection of evidence;
 - 6). Furnishing other field units, through radio communications, descriptions of suspect(s), vehicle(s), direction of flight, wanted person(s), other information as necessary, etc.;
 - 7). Identifying and locating witnesses;
 - 8). Interviewing the complainant, the victim, and all witnesses to determine what information is known (statements should be taken by deputy sheriffs at the incident if investigators are not responding);

- 9). Determining the identity of the suspect or suspects and effect an arrest if it can be accomplished either at the scene or through immediate pursuit;
- 10). Advising the suspect of his/her Miranda Rights, interviewing the suspect, and attempting to obtain either a written or verbal statement, if such statement can be obtained legally; and
- 11). Accurately and completely recording all pertinent information on the prescribed agency report forms.

3. **Follow-up Investigations:**

- A. The purpose of the follow-up investigation is to discover additional information to clear a case, identify and arrest an offender, recover stolen property, gather additional evidence, and prepare a case for court presentation.
- B. CID is responsible for the follow-up of any case in which an investigator is assigned.
- C. The following procedures will be used as necessary and these efforts will be documented on the *Supplemental [Incident] Report*:
 - 1). Reviewing and analyzing all previous reports prepared in the preliminary stage, checking agency records for other reports of like nature or with the same subject, and review of any laboratory examinations;
 - 2). Conducting additional follow-up interviews of victims, witnesses, and/or subjects;
 - 3). Seeking additional information from uniformed deputy sheriffs' informants, etc.;
 - 4). Planning, organizing, and conducting searches and collecting physical evidence as necessary (the investigator is responsible for insuring the collection and processing of the crime scene for physical evidence).
 - 5). Identifying and apprehending suspects;
 - 6). Determining involvement of suspects in other crimes;
 - 7). Checking a suspect's criminal history at the local, state, and national (National Crime Information Center (NCIC) levels; and
 - 8). Preparing cases for court by ensuring that case files are complete and accurate and that witnesses can be located.
- D. **Second Contacts:**
 - 1). In general, a *second contact* will be made by Patrol Division personnel or investigators assigned to the follow-up investigation with the victim and/or other principals within five (5) days from the date of the original report. The main purpose of this *second contact* (after a lapse of several days) is to ascertain if the victim has remembered any additional information or if any other information has surfaced which may lead to a successful clearance of the case. Maintaining a policy of *second contact* also indicates the agency is genuinely concerned about the welfare of the victim and other citizens associated with the case.
 - 2). Whenever the status of any case changes, the assigned investigating deputy must notify the complainant or victim of the change of status. This notification must be noted on a *Supplemental Report* form.

4. **Case Screening - Solvability Factors:**

- A. In order to best commit resources to the investigation of the most serious offenses and/or those cases with the best prospect of successful resolution, CID supervisors are responsible for screening agency *Incident Reports*. CID supervisors will consider the following solvability factors when screening cases for follow-up assignment:
- 1). Suspect can be named;
 - 2). Suspect can be identified;
 - 3). Address of the suspect is known;
 - 4). Likelihood the suspect can be located;
 - 5). Vehicle license plate number used in the crime is known;
 - 6). Likelihood the vehicle used in the offense can be identified or located;
 - 7). Existence of traceable property (by serial number or uniqueness of the property) taken in the offense;
 - 8). Existence of identifiable latent fingerprints to be submitted for attempted match through the Automated Fingerprint Identification System (AFIS);
 - 9). Signification *modus operandi* can be developed, or a distinctive pattern of similar crimes exist in the same general location or during the same time;
 - 10). Suspicion there was a limited opportunity to commit the crime;
 - 11). Existence of reasons that would lead one to believe the crime may arouse public interest and that public assistance may lead to crime solution; and
 - 12). Existence of reasons to believe that further investigative efforts will lead to the successful arrest of a suspect(s).
- B. All cases which have at least one (1) solvability factor will invoke a follow-up investigation, to include a second contact with the victim. CID supervisors will designate the assigned investigator to conduct a follow-up investigation and/or second contact with the principals involved in reported cases.
- C. A follow-up investigation may be suspended and the case may be administratively closed due to the absence of solvability factors.
- D. The Sheriff can direct that any case be assigned for investigation.

5. **Investigative Checklists:**

- A. The initial *Incident Report*, properly prepared, serves as a satisfactory checklist for most investigations.
- B. The CID Supervisor will determine which types of investigations require additional checklists for ensuring critical areas of investigation are not overlooked and will ensure these checklists are made available to the investigator.

6. **Case File Management:**

- A. A written or computerized log will be established and maintained by the CID Commander or his designee which will contain the following information:
- 1). Case number;
 - 2). Investigator assigned to complete the follow-up investigation; and

- 3). Status of all cases assigned in the calendar year.
- B. An administrative designation of either *Active*, *Administratively (Admin) Closed*, *Cleared by Arrest*, *Exceptionally Cleared*, or *Unfounded* will be assigned to each case, as appropriate, to assist in case management and control.
- 1). *Active* (open) indicates that the case is assigned to an investigator and investigative efforts are active and ongoing.
 - 2). *Administratively Closed* (inactivated) indicates that all available leads have been exhausted, but the case has not been brought to a conclusion and investigative efforts may be resumed if new evidence or leads are discovered at a later date. This also includes cases in which a warrant is on file but no arrest has been effected.
 - 3). *Cleared by Arrest* (closed) indicated that the case has been cleared by the arrest of the offender.
 - 4). *Exceptionally Cleared* (closed) indicates that although an offender has been identified and located, no arrest will be made because of reasons beyond law enforcement control. An incident cannot be *exceptionally cleared* unless the subject's race, sex, age, and ethnicity are reported. A case is considered *exceptionally cleared* if it falls into one of the following categories:
 - a. Offender Death: The offender(s) in this case are deceased.
 - b. No Prosecution: Although the offender(s) has been identified and located and there is evidence to support charges, the Court or Solicitor's Office has decided not to prosecute.
 - c. Extradition Denied: Extradition of the offender(s) is denied.
 - d. Victim Denies Cooperation: The offender(s) has been identified, located, and evidence compiled, but the victim declines to cooperate in the prosecution.
 - e. Juvenile/No Custody: A juvenile is identified as the offender, but the case is handled informally with a *Council, Warn, and Release* with no referral to Family Court.
 - 5). *Unfounded* indicates the alleged offense did not occur and there are sufficient reasonable grounds to support this premise.
- C. The investigator will maintain a case file for all assigned cases. The types of records to be maintained in the case file are copies of original Incident Reports, Supplemental Reports, Booking Reports, statements, copies of warrants, photos and lab reports.
- D. The investigative case files will be accessible for review through the CID Commander or his/her designee on a legitimate need to know basis or upon receipt of a court order.
- E. If a file is closed, it must be submitted to the Records Section within 30 days of the closure date unless authorized by a CID supervisor. Records will hold the investigative case file for one (1) year, at which time the file will be transferred and incorporated into the central records file. An *Expungement Order* is required to purge a file.

7. **Identify Theft:**

- A. Reports taken in cases of identity theft should include, but are not limited to the following:
 - 1). the victim(s) name, date of birth and social security number, (advise the victim the need for this information and that precautions will be taken to protect this information);
 - 2). obtain any information the victim may have concerning what charges may have been fraudulently made using their information, this may include any documentation that they may have and a potential dollar amount;
 - 3). advise the victim to contact their credit card companies and report the fraudulent charges; (provide the victim with the case number for this report)
 - 4). advise the victim to contact and report this information to all (3) credit reporting agencies. Also advise the victim to request a fraud alert to be put on their information;
 - 5). complete the appropriate victim forms and any specialized forms that may be associated with identify crimes.
- B. Provide the victim(s) with any information that may assist them in resolving this matter. The department may have brochures available for them to read (advise the victim(s) that this information is available at the Sheriff's Office).
- C. Coordinate with other agency's investigators or federal and state agencies if:
 - 1). It appears that this case may involve victim(s) from multiple jurisdictions;
 - 2). It appears that this may be a large-scale operation or;
 - 3). The case has some type of possible terrorist implication.